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November 25, 2015

VIA ECF

Hon. Arthur D. Spatt, U.S.D.J.
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: Cincotta v. Hempstead Union Free School District
E.D.N.Y. Dkt. No. 15-cv-4821(ADS)(ATK)

Dear Judge Spatt:

Our law firm represents the Defendant in the above-referenced Action.

On October 21, 2015, the Defendants filed a Motion to Dismiss Plaintiff's Complaint. On November 18, 2015, the Plaintiff filed an Amended Complaint. This letter shall serve as Defendants' request to withdraw their Motion to Dismiss, without prejudice.

Thank you for your courtesies in this matter.

Respectfully submitted,

THE SCHER LAW FIRM, LLP



Austin Graff

ARG:am

cc: Sean O'Hara (via ECF)